

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

CASE NO.

1:01-cv-00182

Spiegel
Black

07 JAN 30 PM 3:50

FILED
JAMES DOMINI
CLERK

DARLINGTON AMADASU
Plaintiff

EMERGENCY MOTION
JUDICIAL NOTICE &
STAY OF PROCEEDINGS

Vs

MERCY FRANCISCAN HOSP., et al
Defendants

Time to respond to defendants' joint motions has not expired. Plaintiff submits emergency motion for judicial notice of unforeseen emergency incidence that warrants this emergency motion to stay the proceedings pending the normalization of plaintiff's unexpected condition and situation.

The court granted plaintiff extension of time to 01/31/07 to respond to defendants' joint motions and for plaintiff to file summary judgment motion, etc. Since the grating of the extension, unforeseen emergency incidence and situations occurred that make it impossible at this time for plaintiff to file responses and motion for summary judgment and to continue in further proceedings in this case.

On 01/22/07, without the statutory and contractual 30 days notice of intent to terminate rental agreement and without court order of eviction, the landlord with thugs, by unlawful "self-help" forcibly ejected plaintiff from his rented premises, locked out plaintiff from the premises into the bitter winter cold and changed the locks on the premises' doors. Incredibly, on 01/23/07 after the unlawful "self-help" forcibly eviction, the landlord went and filed complaint for eviction at the Hamilton County Municipal Court (Ex.1). Further, on 01/24/07 without basis in fact and law, the landlord applied ex parte for and was granted Order of Protection by Hamilton County Court of Common Pleas, which directed plaintiff to stay away from his rented premises and set 02/07/07 for a formal hearing.

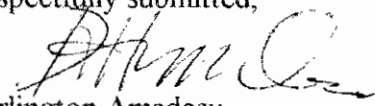
The consequences of the unforeseen incidence are enormous, including among others, on 01/22/07 plaintiff developed medical emergencies prompting admission and treatment at the University Hospital from 01/22/07 through 01/23/07, which are yet to be controlled; From 01/22/07 and continuously to the present, the landlord has unlawfully and forcibly evicted plaintiff from the premises; continuously to the present the landlord has unlawfully and forcibly seized and been maintaining unlawful detention of plaintiff's personal property against his will and consent; has continuously made plaintiff homeless

and a squatter since then; from 01/22/07 and continuously to the present Plaintiff has been cutoff from his prescription medicines for his medical conditions and illnesses, which have been getting worse; from 01/22/07 and ongoing plaintiff cannot change his clothing and keep his personal hygiene; plaintiff has no access to the books, documents, case files, materials and equipment he needs to prepare his responses to defendants' joint motions, to prepare and file his motions and to litigate this case; plaintiff has no established dwelling home or place to prepare; and he is seeking rental apartment.

On 01/26/07, plaintiff filed at the Municipal Court an Emergency Ex Parte Motion for order directing the landlord to immediately allow plaintiff access to his prescription medications and property, to remove his belongings from the premises and to direct the Sheriff/Police to escort plaintiff and oversee the removal of his property from the premises (Ex.2).

WHEREFORE, Plaintiff prays the court to stay all proceedings in this case until when plaintiff reports to the court the normalization of his condition and situation conducive to continue to litigate this case. Plaintiff's hands are currently tied.

Respectfully submitted,


Darlington Amadasu
P.O. Box 6263
Cincinnati, OH 45206
[Plaintiff Pro Se]

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing was served on

Karen Carroll, 201 E. Fifth St. Ste 800, Cincinnati, OH 45202.

Deborah R. Lydon, 1900 Chemed Ct, 255 E. 5th St, Cincinnati, OH 45202.

By delivery to their receptions on 01/30/07

